

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

NESTLÉ PURINA PETCARE COMPANY,)	
)	
Plaintiff/Counterclaim Defendant,)	
)	
v.)	
)	
THE BLUE BUFFALO COMPANY LTD,)	
)	
Defendant/Counterclaim Plaintiffs,)	
)	Civil Action No. 4:14-cv-00859-RWS
v.)	
)	
BLUE STATE DIGITAL INC.,)	
PRCG/HAGGERTY LLL, AND JOHN DOES)	
1-8)	
)	
Counterclaim Defendants.)	

**BLUE STATE DIGITAL’S UNOPPOSED MOTION FOR EXTENSION
OF TIME TO RESPOND TO SECOND AMENDED COUNTERCLAIM**

Counterclaim Defendant Blue State Digital Inc., pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and without the opposition of Defendant/Counterclaim Plaintiff The Blue Buffalo Company Ltd. (“Blue Buffalo), respectfully requests this Court to grant it an extension of time to January 16, 2015, within which to answer or otherwise respond to Blue Buffalo’s Second Amended Counterclaim, which is included within Blue Buffalo’s Answer to the Second Amended Complaint (the “Second Amended Counterclaim”) (Doc 113). In support of this motion, Blue State Digital states as follows:

1. On December 5, 2014, Blue State Digital was served with the Second Amended Counterclaim; accordingly, its response is due on December 26, 2014. (Doc 116)
2. On December 12, 2014, this Court granted the Unopposed Motion for Extension of Time filed by the other newly-added counterclaim defendant, PRCG/Haggerty LLC (Doc

121), thereby extending PRCG/Haggerty's time to respond to the Second Amended Counterclaim to January 16, 2015. (Docket Text Order, Doc. 122).

3. The extension sought here would provide a single date for both counterclaim defendants to respond to the Second Amended Counterclaim. More important, it would provide Blue State Digital and its counsel with time to analyze the allegations and prepare the response to that Second Amended Counterclaim.

4. The undersigned attorney contacted David Luce, one of the attorneys for Blue Buffalo, regarding this motion, and Mr. Luce advised that his client does not oppose the requested extension.

5. No party will be prejudiced by this extension.

Wherefore, Blue State Digital respectfully requests an extension of time to January 16, 2015 within which to answer or otherwise respond to the Second Amended Counterclaim.

Respectfully submitted,

/s/ Michael A. Kahn
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Attorneys for Blue State Digital Inc.

CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2014, the foregoing was served on all counsel of record via this Court's electronic filing system.

/s/ Michael A. Kahn